

REMARKS/ARGUMENTS

Claims 1-26, 29-42, and 44-48 remain in this application.

§103 Rejections

Examiner has rejected Claims 1-12, 38-43 and 47-48 under 35 U.S.C. 103(a) as being unpatentable over JP 2000-44269 (or Koaizawa 6,543,257) in view of Drouart 5,931,984, Kaiser 4,030,901, Ryoji JP 02212325, Gilbreath 6,447,017, Haney 4,347,069 and Collins 5,408,865.

According to the Examiner, “Gilbreath, Haney and Collins are cited as evidence that o-rings and washers are equivalent sealing devices.” Applicants respectfully disagree that these three references indicate that o-rings and washers are “equivalent”.

Contrary to the Examiner’s assertions, none of the references cited by the Examiner indicate that o-rings or/and washers are equivalents. Simply because two items are mentioned in the same sentence does not mean they are equivalent.

As further evidence that o-rings are not equivalent to washers, submitted herewith are definitions of o-ring and washer from Websters Third New International Dictionary (copyright 1993). O-ring is defined as “a flat ring of synthetic rubber used as a gasket in sealing a joint against high pressures.” Washer is defined as “any of various flat thin rings or perforated plates (as of metal or leather) used in joints for assemblies to ensure tightness, prevent leakage, or relieve friction.” The definition of o-ring is consistent with the use of the o-ring in Koaizawa, i.e., as a sealing gasket. Clearly, o-rings and washers are not equivalents.

According to the Examiner, “the invention as claimed is known as per Koaizawa Figure 1, in columns 3-4. However at column 4, lines 50-62 Koaizawa discloses an o-ring rather than the claimed washer. In view of the six secondary references, it would have been obvious to place a sealing washer over the Koaizawa plate since such is a known equivalent to an o-ring seal.”

As explained above, washers are not the equivalent of an o-ring seal. There is no teaching in any of the references cited that would motivate one of skill in the art to

substitute a washer over the Koaizawa plate in replacement for the o-ring seal which is located in the shaft passage of Koaizawa. Further, applicants submit that, even if the references were combinable as the Examiner suggests, such a combination would not result in applicants' claimed invention. In particular, the passage referred to by the Examiner in Koaizawa indicates that "It has been proposed to perform the sealing by providing a seal member made of an o-ring in the elevating shaft passage of the upper lid 31 under which the elevating shaft 41 passes." If one were to substitute a washer for the o-ring in Koaizawa Figure 1 apparatus, that washer would have to be disposed within the shaft passage of the lid 31. However, rather than merely substituting a washer in the same location as the o-ring of Koaizawa, the Examiner is suggesting that it would have been obvious to place a sealing washer over the Koaizawa plate.

Applicants submit that there is no motivation to supply a washer over the Koaizawa plate. Applicants' claim requires a washer mounted about the handle, contacting the upper surface of the top plate and covering a portion of the central opening. Even if, assuming arguendo, one would consider using a washer in place of the o-ring utilized by Koaizawa, substitution of that washer in place of the o-ring in Koaizawa would not result in applicants' invention.

In addition, it should be recognized that the intended function (reliable sealing) of Koaizawa would be destroyed if the modification proposed by the Examiner is adapted. The Examiner indicated that applicants did not provide evidence as to how the intended function of Koaizawa would be destroyed. Repeatedly throughout Koaizawa, upper lid is described as being reliably sealed (see, for example, column 7, lines 27-30 and 44-53, column 8, lines 25-33, column 16, lines 20-25, column 18, lines 40-58, and column 27, lines 43-50). Ryoji is a leaky system allowing some exhaust gas to exit around the washer. The apparatus combination claimed provides a simple and cost effective system where reasonably good sealing is achieved at the upper end of the furnace, while the ill effects of air leakage are mitigated by the use of the flow restrictor.

Conclusion

Based upon the above amendments, remarks, and papers of records, Applicants believe the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Applicants believe that no extension of time is necessary to make this Reply timely. Should Applicants be in error, Applicants respectfully request that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorize the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Robert L. Carlson at 607-974-3502.

Respectfully submitted,



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**Webster's
Third
New International
Dictionary**

**OF THE ENGLISH LANGUAGE
UNABRIDGED**

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imitative: FRESH, NEW (Gives us, as all good poetry does, ~ angle of vision —C.D.Lewis) b : gifted with powers independent thought, direct insight or constructive imagination c : CREATIVE, FERTILE, GERMINAL, INVENTIVE ~ American composer) c : constituting the product of model from which copies are made (found the manuscript of which copies had long been current) syn see NEW original bid n : the first bid made in the auction in a card game — called also opening bid
original bill n : the initial bill of an equity proceeding now already before the court between the same parties standing in the same interests consisting of a statement of the cause of complaint and petition for relief
original contract n : SOCIAL CONTRACT
original cost n 1 : HISTORICAL COST 2 2 in public utility practice : the cost of a property to that owner who first devoted it to public service 3 in real estate practice : the cost of a property to a present owner regardless of cost to a prior owner
original gum n : the intact adhesive gum on a postage stamp considered as evidence of the stamp's mint condition — abbr. O.G.; called also eagle gum
orig-i-nal-ity \or'i-jə-'næl-əd-ē\ -lātē-, -lā- n -es [F originalité] fr. original, adj. + -lité -ty 1 archaic : the quality or state of being authentic or genuine 2 : freshness of aspect or design : independence or newness of style or character (modern Brazilian architecture . . . is full of ~ and vitality —William Tate) b : the power of independent thought or perception ; capacity for constructive imagination c : significant innovation ; creative ability (the directness ~ of blunt force) d : a bardic ~ and vigor —C.B.Taylor) e 3 a patent law : action of a useful device, design, or process not before known or ~ b copyright law : novelty in the form of expression rather than in subject matter
original jurisdiction n : jurisdiction at first instance : authority of a court that takes cognizance of a controversy at the conception of legal proceedings therein
orig-i-nal-ly \or'i-jən-lī- jə-nəl\, lā adv 1 archaic : by origin or derivation : from the first ; INHERENTLY (power ~ to the ruler) 2 : in the beginning : in the first place : INITIALLY (early books demanding ~ ~ designed covers —Edith Diehl)
original minor scale n : NATURAL MINOR SCALE
original package doctrine n : a doctrine whereby goods and commodities imported from one state to another and then reexported from a foreign country are usu. protected from being subject to the laws of the state of importation until sale to the importer so long as they are contained in the original unopened individual package, container, or receptacle accepted from the shipper by the carrier and delivered in the same form to the importer
ORIGINAL PROCESS n : an original writ or summons issued by the authority of a court as the foundation of and first step in a lawsuit, including always a notice to the defendant when he appears to make his defense and often an order to arrest the defendant, seize or attach his property, or garnish a claim due to him third person to the defendant or an order that the defendant do or refrain from doing a specified act or that the officer of the court do a specified act in connection with the case distinguished from final process and mesne process
orig-i-nal-sin \or'i-jən-l' sīn, trans. of ML peccatum originale\; hereditary sin or defect held in Christian theology to be transmitted from one generation to the next and inherited by each the first man of the human race compare ACTUAL SIN
orig-i-nal writ n [ME, trans. of ML brevis sigillate] 1 : a writ issued under the great seal by which in English law the jurisdiction of the court was laid in beginning personal actions 2 : the summons was substituted by the Judicature Act of 1873 compare JUDICIAL WRIT, PRÆCIPUE 2 : ORIGINAL PROCESS
ori-nant \or'i-j(ə)nənt\ adj [origin + -ant] archaic : ARISING ORIGINATING
ori-nary \or'i-jə-nər-ē\ adj [LL originarius, fr. L origin-, origo -nis + -arius -ary — more at ORIGIN] 1 obs : NATIVE, DOMESTIC 2 archaic : constituting a source or cause
ori-nary n -s [LL originarii (pl.), fr. pl. of originarius, adj.] ABORIGINAL
ORIGINATE \or'i-jən-āt, usu -dɪ-t V\ vb -ED/-ING-s [Prob. derive + -ize + fr. origination] 1 vt : to cause the beginning of something 2 : to start (a person or thing) on a course or path (freight is originated at the dock) ~ vi : to take one's origin : be derived — ARISE, BEGIN, START (a retractor ~le that ~s on the body wall) <the train originated in Washington> SYN see SPRING
ORIGINATING company n : DIRECT-WRITING COMPANY 1
ORIGINATING notice or ORIGINATING SUMMONS n, Eng law : a writ or the service of which begins a legal proceeding — see ORIGIN
ORIGINATIONS \or'i-jən-ə-shən-s\ n -s [LL origination-, originatio-, origign-, origign-, -ation-, -atio -ation] 1 obs : DERIVATION, ETYMOLOGY 2 : coming into existence : BEGINNING, ORIGIN 3 : a custom that has its root far back in time 3 : ORIGIN 3 bringing into existence : to originate, INVENTION, MAKING, ORIGIN (a representative legislature with annual meetings ~s of laws —C.G.Bowers)
ORIGINEE \or'i-jən-ē-ē\ adj : having ability to originate
ORIGINATE, FERTILE, INVENTIVE (the very greatest and most fertile ~ geniuses —H.S.Hartfield)
ORIGINIST \or'i-jən-ist, -r-ē\ n -s : one that originates
ORIGINATOR \or'i-jən-ət-ər\ n -s 1 obs A : FOUNDER, ORIGINATOR B : historian C : a theorist about origins
ORIGIN POINTS \or'i-jən-pōints\ n -s : points of intersection of coordinate axes
ORIGINATION \or'i-jən-ə-shən\ n -s [Jap. prob. fr. ori fold + hon book, origami] : a strip of paper, papyrus, or vellum that is accented on one side into pages or columns and that sometimes used on covers
ORILLON \or'il-lon\ or ORILLON \or'il-yon\ n -s [F orillon, lit. more at EAR] archaic : a projection built out at the end of a bastion between flank and face from which to fire the flank
ORILLO \or'-jə, 'jorə, 'jə-rə+\ adj [ori- + nasal] 1 : of or pertaining to the mouth and nose 2 : pronounced (as a French word) through both mouth and nose
ORISIN \or'-sīn, usu cap O\ : a flat ring of synthetic rubber used in sealing a joint against high pressures
OROCODELLA \or'-də-(k)ə-\ n, usu cap O [fr. Orinoco (Orinoco intermedium)] of the Orinoco river and drainage
OROLIO \or'-lo-also -lə\ n -s [F oriol, fr. OF, fr. ML aurum] 1 : aureous golden, dim. of aureus golden, fr. aurum 2 : a dawn — more at EAST 1 : any various usu. colored Old World birds constituting the family Troglodytidae 2 : any of various birds of the family Icteridae 3 : LEATHER 4 : a small bird of the family Icteridae 5 : any of various birds of the family Icteridae 6 : any of various birds of the family Icteridae 7 : any of various birds of the family Icteridae 8 : any of various birds of the family Icteridae 9 : any of various birds of the family Icteridae 10 : any of various birds of the family Icteridae 11 : any of various birds of the family Icteridae 12 : any of various birds of the family Icteridae 13 : any of various birds of the family Icteridae 14 : any of various birds of the family Icteridae 15 : any of various birds of the family Icteridae 16 : any of various birds of the family Icteridae 17 : any of various birds of the family Icteridae 18 : any of various birds of the family Icteridae 19 : any of various birds of 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[illegible][illegible]

the air set up by the passage of a storm center or rushing object (as an airplane) **c**: a disturbance in the air produced by the passage of an aircraft or propeller (the ~ from the propeller) **d**: the dissipated current or force in the trail of an intellectual or social movement: EDDY (hard to know how much ~ is solid accomplishment that will last, and how much is the wave of opinion—A.L. Kroeber) (traveled there in the ~ of the war—J.R. Walsh) **13**: WASH SALE **14**: the upper surface of a weathered rock **15**: a structure or receptacle shaped so as to receive and carry off water

wash \ˈwɑːʃ\ **1**: capable of being washed without injury: WASHABLE (~ fabrics) **2**: (of dress) (~ goods)

wash **adj** [perh. alter. (influenced by *wash*) of *wearish*] **obs**: WASHY, WEAK (their bodies of so weak and ~ a temper—Francis Beaumont & John Fletcher)

wash \ˈwɑːʃ\ **n**, **pl** washes or washes **usu** **cap** **1**: a Chitimachian people of southeastern Louisiana **2**: a member of the Washa people

wash-able \ˈwɑːʃ-ə-bəl\, **ˈwɑːʃ-ə-bəl**, + **ˈwɔːrsh**- or **ˈwɔːrsh**-**adj** **1**: capable of being washed without suffering damage or loss of color (a ~ color) **2**: soluble in water (~ oilment bases—*Amer. Druggist*) (~ ink)

washable \ˈwɑːʃ-ə-bəl\ **n**: a fabric or garment that may be washed without injury or change

wash and wear **adj**: of, relating to, or constituting a fabric or garment not needing to be ironed after washing

washaway \ˈwɑːʃ-ə-wei\ **n**: [fr. the phrase *wash away*, fr. *wash* + *away*] **Brit**: WASHOUT

wash ball **n**: a ball of toilet soap

wash barrel **n**: a barrel in which split mackerel are washed with salt water to extract the blood before salting

washbasin \ˈwɑːʃ-ə-ˈbeɪ-sɪn\ **n**: WASHBOWL

washboard \ˈwɑːʃ-ə-bɔːrd\, **ˈwɑːʃ-ə-bɔːrd**, + **ˈwɔːrsh**- or **ˈwɔːrsh**-**adj** **1**: a broad thin plank fixed along a gunwale or set on the sill of a lower deck port to keep out the sea—called also *washstake*, *washboard* **2**: BASEBOARD **3**: a corrugated rectangular surface (as of zinc or glass) in a wooden frame on which clothes are rubbed in washing **4**: a road or pavement so worn by traffic as to be corrugated transversely **5**: a corrugated surface (as of glass or wood)

washbottle \ˈwɑːʃ-ə-ˈbɔːtl\ **n**: a large metal vessel used for boiling clothes

wash boring **n**: a boring system by which material loosened by a bit is borne to the surface in the annular space between the bit and casing by water forced down through the pipe bearing the bit

wash bottle **n**: a bottle or flask provided with one bent tube passing through the stopper for directing a stream of water on anything to be washed or rinsed and with means for forcing (as by blowing into a second tube passing through the stopper or by squeezing if the bottle is flexible) the water through the tube

washbowl \ˈwɑːʃ-ə-ˈbɔːl\ **n**: a large bowl for water to wash one's hands and face—called also *washbasin*

wash-brew \ˈwɑːʃ-ə-bruː\, **ˈwɑːʃ-ə-bruː**, **ˈwɑːʃ-ə-bruː** **n**, **dia** **Eng**: oatmeal boiled until gelatinous: FLUMMERY **1**

wash brush **n**: a large brush for applying a wash

wash bulkhead **n**: a bulkhead in a ballast tank to prevent excessive movement of liquid in the tank

washcloth \ˈwɑːʃ-ə-kloʊθ\ **n**: a cloth used for washing one's face and body

wash-colored \ˈwɑːʃ-ə-kɔːləd\ **adj**: colored as if with a wash or water-color

washday \ˈwɑːʃ-ə-deɪ\ **n**: a day regularly set aside (as once a week) for washing clothes (as of a family or institution) (on the evening of the second—*Flora Thompson*)

wash dirt **n**: earth washed or to be washed for gold: WASHING STUFF

wash-dish \ˈwɑːʃ-ə-dɪʃ\, **ˈwɑːʃ-ə-dɪʃ**, **ˈwɑːʃ-ə-dɪʃ** **n**: WASHBOWL **2** [so called fr. the motion of its tail resembling the motion of one washing dishes] **dia** **Eng**: PIED WAGTAIL

wash down **vt** **1**: to move or carry downward by action of water or other liquid; **specif**: to facilitate the passage of (food) down the gullet with accompanying swallows of liquid (bolted a hot dog and *washed it down* with soda) **2**: to wash the whole length or extent of (*washed down* and scrubbed out with disinfectant, making sure that no corners or grooves... are missed out—*Henry Weyn*)

washdown \ˈwɑːʃ-ə-daʊn\ **adj** [*wash down*]: constructed with provision for washing contents downward (a ~ water closet)

wash drawing **n**: water-color painting in or chiefly in washes esp. in black, white, and gray tones only

washed past of wash

washed-curd cheese \ˈwɑːʃ-ə-d\ **n** [*washed*, past part. of *wash*]: cheddar cheese in which the curd is washed before being pressed into forms to remove a portion of the whey, lactose, and soluble milk salts and produce a soft body with open texture

washed metal **n**: iron treated so as to remove most of the silicon and phosphorus and not too much of the carbon

washed-out \ˈwɑːʃ-ə-ɔːt\ **adj** [fr. past part. of *wash out*] **1**: faded in color: lacking in brightness or vividness (a very pale, *washed-out* blue—*Eden Phillpotts*) **2**: depleted in vigor or animation: played out: EXHAUSTED (worked from seven in the morning until noon, and I was limp, *washed-out*—*Richard Wright*) **3**: ERODED (coal workings line the route in this hilly, *washed-out* section—*Amer. Guide Series: Pa.*)

washed sale **n**: WASH SALE

washed-up \ˈwɑːʃ-ə-ɪp\ **adj** [fr. past part. of *wash up*] **1**: ready for the discard: done for: played out (as far as he's concerned, you're a *washed-up* nobody—*Albert Morgan*) **2**: *usu* **washed up**: at the end of an association or activity: ready to call it quits: THROUGH (he was completely *washed up* with his wife... he never visited her—*Morton Faber*) (I'm *washed up* with the rackets—*Allan Bruce*)

washen **archaic** past part of *WASH*

wash-er \ˈwɑːʃ-ə(r)\, **ˈwɑːʃ-ə**, + **ˈwɔːrsh**- or **ˈwɔːrsh**-**n** **1**: [ME *washer*, fr. *wash* + *-er*] **1**: a person who washes; **specif**: a worker who cleans by washing (as clothes, animals, or materials) or products in processes of preparation, manufacture, or maintenance **2**: a machine for washing something: as (1): a device for removing dirt and soluble impurities from pulp and paper stock (2): WASHING MACHINE (3): an apparatus or device for washing photographic materials to remove soluble chemical products (as produced by development or fixing) (4): an apparatus in which gases are washed: SCRUBBER **c** (rotary ~s) **2** [ME; fr. the motion of its tail resembling the motion of one washing clothes or dishes] **dia** **Eng**: PIED WAGTAIL **3**: any of various flat thin rings or perforated plates (as of metal or leather) used in joints or assemblies to insure tightness, prevent leakage, or relieve friction—see LOCK WASHER, SPRING WASHER **4** [so called fr. its habit of washing its food before eating]: RACCOON



washboard 3a

wash \ˈwɑːʃ\ **n**: a large circular washbowl set in the floor and supplied with running water from a central spray to permit simultaneous use by a number of people

wash gravel **n**: gravel washed to extricate gold

wash-hand \ˈwɑːʃ-ə-hænd\, **ˈwɑːʃ-ə-hænd**, + **ˈwɔːrsh**- or **ˈwɔːrsh**-**adj**, **Brit**: designed for use in washing the hands or for holding utensils for such purpose (a *wash-hand basin*) (a *wash-hand* stand)

washhouse \ˈwɑːʃ-ə-haʊs\ **n**: a house or building used or equipped for washing; **esp**: one for washing clothes: LAUNDRY

washlet \ˈwɑːʃ-ə-lɪt\ **n**: comparative of *WASHY*

washline \ˈwɑːʃ-ə-laɪn\ **n**: [ME *waschen*, fr. *gerund* of *waschen* to wash] **1**: the act or action of one that cleanses with water (gave himself a good ~) (gave the clothes a thorough ~) **2**: washings (as gold dust) obtained by washing (2): a place or soil yielding metal or gems under washing **3**: material collected by the action of waves or running water: the erosion or removal of material by running water **4**: washings **pl**: material abraded by bathing, drenching, or coating with a liquid (as in mining ore) **5**: the act or process of applying a thin coat of paint (as water-dilute solution of hydrochloric acid followed by rinsing in water as a means of removing spray residues that might be toxic to humans) **6**: a thin covering or coat (a ~ of silver) **7**: clothes or other articles washed or to be washed esp. at one time: *WASH* (the ~ was hanging in the back garden—*J.I. Jones*) **8**: the execution of a wash sale

washing bottle **1**: WASH BOTTLE **2**: a bottle for use in washing gases by passing them through liquid contained in it

washing engine **n**: a device much like a beater in which rags are washed by a stream of water and also reduced to threads and fibers

washing machine **n**: a machine for washing; **specif**: a usu. power-driven machine for washing clothes and household linen

washing powder **n**: a powder for washing (as a soap powder builder) or a powder containing a synthetic detergent and alkaline

washing soda **n**: SODIUM CARBONATE **a**(3)

washing stuff **n**: a earthy deposit containing gold that may be extracted by washing

wash-ington \ˈwɑːʃ-ɪŋ-tən\, **ˈwɑːʃ-ɪŋ-tən**, **ˈwɑːʃ-ɪŋ-tən**, **ˈwɑːʃ-ɪŋ-tən** **n**, **cap** [NL, fr. *George Washington* 1799 + NL *-ia*] **1**: a genus of massive fan palms of California and adjacent Mexico having large plicate leaves cut nearly to the middle and often bearing flagellants on their margins and a smooth trunk bearing a large shaggy mass of persistent dead leaf remains

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